IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.274 OF 2007
IN
WRIT PETITION NO.209 OF 2007

Shivkumar @ Shiva Essakimuttu ..Applicant
Narayan @ Harijan

Vs.

The Commissioner of Police & Ors. ..Respondents

Smt.Pooja Bhojane for the Applicant.
Dr.F.R.Shaikh,Addl.P.P.for the Respondent-State.

CORAM :- DR.S.RADHAKRISHNAN &
SMT.R.S.DALVI,JJ.

DATE : 18TH SEPTEMBER,2007

P.C.

. Heard the learned Counsel for the Applicant and the learned A.P.P. for the Respondent-State. By this Application, the Applicant is seeking recall of our order dated 5th September,2007 whereby the above Petition came to be dismissed in default. Perused the Application, for the reasons stated therein sufficient cause is made out. There is no case of inaction, negligence or want of bonafide on the part of the Applicant. Hence, the Application is made absolute in terms of prayer clause (a).

(SMT.R.S.DALVI,J.) **(DR.S.RADHAKRISHNAN,J.)**